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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DENISE MILLER,

Plaintiff,

v.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

Case No.: 2:22-CV-01601-BNW

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE
ANSWER AND CERTIFIED
ADMINISTRATIVE RECORD
(FIRST REQUEST)**

Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the “Commissioner”), through her undersigned counsel, hereby requests an extension of time to file her answer and Certified Administrative Record (CAR) in this case, for good cause shown. This is the Commissioner’s first motion for an extension. The Commissioner’s answer and CAR are currently due to be filed by December 5, 2022. The Commissioner requests an extension of 60 days in which to file the answer and CAR, which would move the due date to February 3, 2023. Counsel for Defendant advised counsel for Plaintiff of the need for this extension on December 1, 2022. Counsel for Plaintiff confirmed that Plaintiff does not object to this request.

1 Defendant makes this request in good faith and for good cause, because the CAR, which must
2 be filed with the answer and is necessary to adjudicate the case, is not yet available. On December 1,
3 2022, counsel for Defendant checked the records of the Social Security Administration's Office of
4 Appellate Operations (OAO) in Falls Church, Virginia, which is responsible for producing the CAR
5 that must be filed with the answer, per 42 U.S.C. § 405(g) and (h). Review of the records indicated
6 that the CAR is not yet final and is still being prepared.

7 Accordingly, Defendant requests an extension of 60 days in which to file the answer and CAR,
8 changing the due date for the answer and CAR from December 5, 2022, to February 3, 2023.

9
10 Dated: December 5, 2022

Respectfully submitted,

11 JASON M. FRIERSON
12 Acting United States Attorney

13 /s/ Geralyn Gulseth
14 GERALYN GULSETH
Special Assistant United States Attorney

15 OF COUNSEL:

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17 IT IS SO ORDERED:

18 

19 UNITED STATES MAGISTRATE JUDGE

20 DATED: December 5, 2022

CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 160 Spear Street, Suite 800, San Francisco, California 94105. I am not a party to the above-entitled action. On the date set forth below, I caused service of **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWER AND CERTIFIED ADMINISTRATIVE RECORD (FIRST REQUEST)** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing:

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Attorneys for Plaintiff

Dated: December 5, 2022

/s/ Geralyn Gulseth
GERALYN GULSETH
Special Assistant United States Attorney